

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

ARTHUR ROY MORRISON,	§	
	§	
Petitioner,	§	
	§	
v.	§	2:18-CV-150-D
	§	
LORIE DAVIS, Director,	§	
Texas Department of Criminal Justice,	§	
Correctional Institutions Division,	§	
	§	
Respondent.	§	

ORDER

After making an independent review of the pleadings, files, and records in this case, the September 26, 2018 findings, conclusions, and recommendation of the magistrate judge, and petitioner's October 16, 2018 objections—which he has captioned “Notice of Racketeering And Retaliation”—the court concludes that the magistrate judge's findings and conclusions are correct. Petitioner has intentionally refused to comply with the magistrate judge's August 21, 2018 order to submit form petition, and he has failed to cure this deficiency despite the entry of the magistrate judge's September 26, 2018 findings, conclusions, and recommendation. It is therefore ordered that petitioner's objections are overruled, the recommendation of the magistrate judge is adopted, and the petition for a writ of habeas corpus is dismissed.

Considering the record in this case and pursuant to Fed. R. App. P. 22(b), Rule 11(a) of the Rules Governing Section 2254 Proceedings in the United States District Courts, and 28 U.S.C. § 2253(c), the court denies a certificate of appealability. The court adopts and incorporates by reference the magistrate judge's findings, conclusions, and recommendation filed in this case in support of its finding that the petitioner has failed to show (1) that reasonable jurists would find this court's “assessment of the constitutional claims debatable or wrong,” or (2) that reasonable jurists would find

“it debatable whether the petition states a valid claim of the denial of a constitutional right” and “debatable whether [this court] was correct in its procedural ruling.” *Slack v. McDaniel*, 529 U.S.473, 484 (2000).

If petitioner files a notice of appeal,

() petitioner may proceed *in forma pauperis* on appeal.

(X) petitioner must pay the \$505.00 appellate filing fee or submit a motion to proceed *in forma pauperis*.

SO ORDERED.

October 17, 2018.



SIDNEY A. FITZWATER
SENIOR JUDGE